

INVENTOR: HUXEL, Edward T.
Serial No. 10/047,579

REMARKS

Issues Raised in the Office Action

Claims 1-12 currently are pending in the application. Claims 1-12 were rejected under the judicially created doctrine of obviousness-type double patenting. Claim 7 was rejected under 35 U.S.C. 112, first paragraph. Claim 7 is cancelled in this Response.

A Terminal Disclaimer is presented herewith which is believed to overcome the double patenting rejection of claims 1-6 and 8-12. It is believed this terminal disclaimer places claims 1-6 and 8-12 in condition for allowance by limiting the term of claims 1-6 and 8-12 to a period co-extensive with U.S. Patent No. 6,649,202 and which term limitation also should avoid the provisional rejection based on copending Application No. 10/255,331.

Terminal Disclaimer

A Terminal Disclaimer by the Attorney of record is attached to this paper. A check in the amount of \$110 is provided with that paper. It is believed the Terminal Disclaimer removes U.S. Patent No. 6,649,202 as a reference, thus making moot its combination with Miller et al [Pat. No. 5,431,945] and the rejection based thereon.


Check No. 20322 for \$110 in payment of the Terminal Disclaimer fee is enclosed.

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The Applicant believes that all claims are now in condition for allowance.

Reconsideration of the application as amended respectfully is requested.

Respectfully submitted,



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